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Remarks:

Regarding the rejection of claims 1-7 under 35 USC 102(e) and/or 103(a) in view of US 2003/0070692 to Smith et al.:

The applicant respectfully traverses the rejection of the claims in view of the Smith reference.

Prior to discussing the Examiner's position on the putative relevance of the Bennie reference, the applicant points out that with regard to lodging a rejection based on obviousness section MPEP 2143 states that three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Further, unpatentability based on "anticipation" requires that the invention is not in fact new. See *Hoover Group, Inc. v. Custom Metalcraft, Inc.*, 66 F.3d 299, 302, 36 USPQ2d 1101, 1103 (Fed. Cir. 1995) ("lack of novelty (often called 'anticipation') requires that the same invention, including each element and limitation of the claims, was known or used by others before it was invented by the patentee"). Anticipation requires that a single reference describe the claimed invention with sufficient precision and detail to establish that the subject matter existed in the prior art. See, *In re Spada*, 911 F.2d 705, 708, 15 USPQ2d 1655, 1657 (Fed. Cir. 1990). It is the applicant's view that these criteria are not met. Accordingly withdrawal of the grounds of rejection is deemed to be proper.

The prior art document to Smith fails to disclose or suggest a 'super wetting agent' which is now required in the compositions which are used in the claimed methods. Smith fails to recognize that the inclusion of a super wetting agent in the compositions useful in the

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claimed methods, particularly with preferred surfactants provide a useful benefit in the cleaning treatment of a soiled carpet. This surprising discovery is taught only by the present applicants in their specification (at pages 4 and 5) wherein they state:

" The superwetting agent can be added to overcome the problem associated with the high repellancy of carpet to water. This is primarily caused from two sources, the first being the amount of soiling which can accumulate on carpets and, secondly, the prevalence of stain repelling treatments, which are increasingly commonly applied to carpets either during manufacture or by the consumer. In this invention a super wetting agent is a special surfactant added at levels of below 10%w/w of the composition, preferably below 5% w/w, of the composition, that can, combined with any other surfactant present in the composition, is able to lower the surface tension of the final diluted liquid cleaning formulation to values below 28mN/m, when 10g is dissolved in 4 litres of water.

A problem associated with cleaning carpets is the high repellancy of the carpet to water. This is primarily caused from two sources, the first being the amount of soiling which can accumulate on carpets and, secondly, the prevalence of stain repelling treatments which are increasingly commonly applied to carpets either during manufacture or by the consumer. In this invention a "super wetting" agent is added to the composition and is a special surfactant added at levels of below 10%w/w of the composition, preferably below 9, 8, 7, 6 or 5% w/w, of the composition. It is preferred that at the levels described above, and in combination with any other surfactant present, it is able to lower the surface tension of the final diluted liquid cleaning formulation to value below 28 mN/m, when 10g is dissolved in 4 litres of water."

Accordingly the currently presented claims are believed to be both novel and nonobvious over the prior art Smith reference. Accordingly, reconsideration of the propriety of the outstanding rejection and its withdrawal is respectfully requested.

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Regarding the rejection of claims 1-7 under 35 USC 102(a) and/or 103(a) in view of GB 2371307 to Cordellina et al:

The applicant respectfully traverses the rejection of the claims in view of the Cordellina reference.

For the same reasons as discussed above with reference to the Smith reference, the present Cordellina reference fails to disclose or suggest a 'super wetting agent' which is now required in the compositions which are used in the claimed methods. Likewise, Cordellina fails to recognize that the inclusion of a super wetting agent in the compositions useful in the claimed methods, particularly with preferred surfactants provide a useful benefit in the cleaning treatment of a soiled carpet.

Accordingly the currently presented claims are believed to be both novel and nonobvious over the prior art Smith reference. Accordingly, reconsideration of the propriety of the outstanding rejection and its withdrawal is respectfully requested.

Regarding the rejection of claims 6-9 under 35 USC 102(e) and/or 103(a) in view of US 2003/00017955 to Forth et al

The applicant respectfully traverses the rejection of the claims in view of the Forth reference.

The applicant's present cancellation of claims 6 – 9 in this paper is believed to render the current grounds of rejection as moot. Withdrawal of the rejection is solicited.

Should the Examiner in charge of this application believe that communication with the undersigned will favorably advance the prosecution of this application, they are invited to contact the undersigned at their convenience.